

Town of Fenwick Island
Minutes of the Charter & Ordinance Committee Meeting
October 6, 2009

Approved
12/1/09

Call to Order at 9:30 a.m.

Present: Committee Members Bill Weistling, Gene Langan, Vicki Carmean, Winnie Lewis, Diane Tingle, Mike Quinn, Buzz Henifin, Win Abbott and Pat Schuchman.

Absent: Audrey Serio

Public Attendance: John Belian

Re-Organization:

- Bill Weistling introduced new committee members Diane Tingle and Mike Quinn and mentioned a thank-you to Todd Smallwood for his prior year's service. Audrey Serio will remain *ex officio* member. Bill also explained the procedures typically followed at C&O Meeting where ordinances being considered for change are reviewed section by section.

Minutes:

- Vicki Carmean made a motion to approve the minutes of September 1, 2009 seconded by Gene Langan.

Discussion of Ordinances Under Review:

- Bill advised that Chapter 56 (Boating) is near completion for a proposed First Reading.
- A proposed draft amendment to Chapter 102 (Lighting) had been prepared and distributed to all committee members since the September C&O Meeting.
- Pat Schuchman explained that she consulted with the manager of United Electric Company regarding an explanation of using footcandles as a measurement of light and how that related to certain lighting throughout Town.
- Bill conducted a study of footcandles of various light sources in both the Residential and Commercial zones. Some measurements were taken at the location of the light source, some were taken from the property lines. As indicated in Bill's study, it did not appear that the Town street lights were too bright.
- After a discussion of the maximum footcandles that should be allowed in both Residential and Commercial zones, the committee agreed that 5.0 footcandles should be the maximum allowed.
- Other revisions to the draft were discussed and some minor changes were agreed upon.
- The draft amendment to Chapter 102 (Lighting) will be revised as agreed upon and submitted to Tempe Steen for her opinion including a request that she give special consideration to Section 102-11 (Other exemptions) as to "grandfathering"; Section 102-4 (Appeals); and Section 102-13 (Applicability; severability).

Codebook Updates:

- Proposed changes to Chapter 107 (Noise) -
- Section 107-1A included a reference to the standard by which decibel levels are measured using ANSI S1.1 Acoustical Terminology. Pat stated there is no copy of the standard in Town Hall.
- The Definitions listed under 107-1B were reviewed and some revisions were made.
- Section 107-2C will be eliminated.
- Section 107-3C will be eliminated.
- Section 107-4 will remain the same.
- Section 107-5D was discussed and, in an effort to distinguish between work being done by contractors and that being done by the homeowner, the term "repairs and construction" will be replaced by "personal home repairs and construction".

- Section 107-6 – violation fee would be changed to \$200. Sub-sections B, C & D will be removed and Sub-sections E & F will be kept.
- Under Sections 107-2A; 107-3B; and 107-6E, the term “person” will be replaced with “person, corporation or other organizational entity”.

Comprehensive Plan:

- Winnie Lewis commented that each C&O meeting continues to address the goals of the Planning Commission. The next Planning Committee meeting will discuss long range goals and submit these recommendations to the C&O Committee.

Next Meeting:

- Next meeting – December 1, 2009
- Discussions planned will be:
 - Codebook Updates (Chapter 112 – 160)

Old Business:

- Mike Quinn expressed his concern that the ordinance on Wind Turbines is too restrictive and would prohibit installation on most properties. Bill advised that the 1.1 ratio was the standard ratio.
- Gene Langan stated he would like for all committee members to help with the preparation of draft amendments, perhaps one member participate in the preparation of a particular amendment being worked on and then another member the next.

Adjourn:

- Buzz Henifin made a motion to adjourn the meeting, seconded by Mike Quinn. The meeting was adjourned at 11:10 a.m.